

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

D.E. ("Mother),)	
Petitioner,)	
v.)	Civil No. 5:22-CV-141
STATE OF VERMONT,)	
Respondent.)	

FINAL JUDGMENT ORDER

D.E. has filed a "Notice of Appeal" seeking review of a ruling issued by the Vermont Superior Court, Chittenden Unit, Family Division in a case concerning state custody of D.E.'s twin 17-year old children. D.E. seeks to appeal the Family Division order to the Second Circuit Court of Appeals. She has filed her notice of appeal with the District of Vermont. Advice from court staff that appeals from state court orders are not heard by federal district or circuit courts of appeal has not been persuasive.

In order to permit the Court of Appeals to rule on D.E.'s filing, it is necessary for the District Court to issue some form of final order. Because the Court of Appeals alone has the authority to dismiss appeals, the District Court characterizes the "notice of appeal" as an application for a writ of mandamus directed to the Family Division. It is hereby ORDERED that the application is denied because the District Court lacks authority to review the orders of the Family Division.

Entry of this order is intended to permit the Court of Appeals to act on D.E.'s filing. The court will forward D.E.'s notice of appeal and other filings to the Court of Appeals for further consideration.

Dated at Burlington, Vermont this 19th day of July, 2022.



Geoffrey W. Crawford
Chief Judge

JUDGMENT ENTERED ON DOCKET
DATE: 7/19/2022